IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 19TH JANUARY 2007 / 29TH PAUSHA 1928

WP(C).No. 2228 of 2007(M)

PETITIONER:

MANI, AGE 55 YEARS,
S/O.KUMARAN, KOLLAMPARAMBU VEETTIL,
KARUMALLOOR KARA, PARUR TALUK, ERNAKULAM DISTRICT.

BY ADV. SMT.M.SINDHU THANKAM

RESPONDENTS:
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1. SPECIAL SALE OFFICER,
ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES,
(GENERAL), N.PARUR.

2. KAUMALLOOR SERVICE CO-OPERATIVE BANK,
NO.737, REPRESENTED BY SECRETARY.

BY GOVERNMENT PLEADER SRI.P.N. SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.M.JAMES, J.

W.P.(C). 2228/2007

Dated this the 19th day of January, 2007

JUDGMENT

I heard the arguments advanced by the learned counsel for the writ petitioner as well as the learned Government Pleader. It is conceded by either side that Circular No.59/2006 dated 30.11.2006 extending facilities and benefits of One Time Settlement Scheme, are in force even now.

2. Therefore, I dispose of this petition directing the petitioner to pay an amount of Rs.25,000/- within one month from today and the balance amount, due to the second respondent, in all the three awards of the Arbitrator, shall be remitted in equal monthly instalments.

3. The amount due to the second respondent, bank, shall be calculated by it, on a representation that would be filed by the petitioner relating to all the three awards, extending the facilities of One Time Settlement, and fixing the total amount due covering all the loans.

The petitioner shall be allowed to remit the total amount in ten equal monthly instalments. The first instalment shall be remitted within one month from the date of remittance of Rs.25,000/-, as ordered above.

4. There shall be no coercive actions against the writ petitioner during the period of the payment of amounts, as above.

5. In case of two consecutive defaults of instalments, the writ petitioner will not be entitled to continue with the facilities of One Time Settlement, as above, and in such event, the respondents shall be at liberty to proceed against the petitioner and recover the amount covering all the awards, in lump.

J.M.JAMES
JUDGE

mrcs